

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of  
MATSUI ET AL.

Serial No.

Filed:



Atty. Ref:

Group Art Unit:

Examiner:

#10  
D.Q.  
12/7/00

Re: THERMOPHILIC ENZYMES HAVING  $\beta$ -GLYCOSIDASE ACTIVITY

Honorable Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

DECLARATION RE: DEPOSITED  
BIOLOGICAL MATERIALS

Sir:

As an authorized representative of the assignee of the U.S.  
Patent application identified above, I hereby declare:

That the assignee of this application is also the depositor  
and/or owner of the deposits of biological materials identified  
and referred to in the specification of this application.

That a deposit of the material has been made in a depository  
affording permanence of the deposit and ready accessibility  
thereto by the public if a patent is granted. The depository  
is THE NATIONAL INSTITUTE OF BIOSCIENCE AND HUMAN-TECHNOLOGY  
AGENCY OF INDUSTRIAL SCIENCE AND TECHNOLOGY of 1-3, Higashi  
1-chome, Tsukuba-shi, Ibaraki-ken 305-8566, Japan.

Deposited material  
E.coli BL21(DE3)pET15b/Gly2M

Specific accession  
number  
FERM BP-6800

That the above-mentioned deposited materials have been accorded  
specific accession numbers respectively.

That all restriction on availability to the public of the  
material so deposited will be irrevocably removed upon the  
granting of a patent.

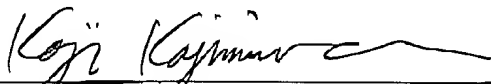
That the material has been deposited under conditions that assure that access to the material will be available during the pendency of the patent application to one determined by the Commissioner to be entitled thereto under 37 CFR 1.14 and 35 USC 122.

That the deposited material will be maintained with all the care necessary to keep it viable and uncontaminated for a period of at least five years after the most recent request for the furnishing of a sample of the deposited microorganism, and in any case for a period of at least thirty (30) years after the date of deposit or for the enforceable life of the patent, whichever period is longer.

I declare further that all statements made therein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the instant patent application or any patent issuing thereon.

Dated this 20th day of November , 2000

Agency of Industrial Science and Technology

  
Koji Kajimura, Secretary

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF  
MICROORGANISMS FOR THE PURPOSES OF  
PATENT PROCEDURE

## RECEIPT IN THE CASE OF AN ORIGINAL DEPOSIT

issued pursuant to Rule 7.1 by the  
INTERNATIONAL DEPOSITARY AUTHORITY  
identified at the bottom of this page.

## TO DEPOSITOR:

Name: Dr. Shinichi Ohashi, Director-General of  
National Institute of Bioscience and Human-Technology  
Agency of Industrial Science and Technology

Address: 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken, Japan

I . IDENTIFICATION OF MICROORGANISM	
Identification Reference Given by the Depositor: E.coli BL21(DE3)pET15b/Gly2M	Accession Number: FERM BP-6800
II . A SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC POSITION	
The microorganism identified under I above was accompanied by a document stating the following item(s).  <input type="checkbox"/> A Scientific Property <input type="checkbox"/> Taxonomic Position	
III . RECEIPT AND ACCEPTANCE	
This International Depositary Authority accepts the microorganism identified under I above, which was received on July 14, 1998. (date of the original deposit)	
IV . RECEIPT OF REQUEST FOR TRANSFER	
This International Depositary Authority received the microorganism under I above on July 14, 1998 (date of the original deposit), and received on July 27, 1999, a request for transfer from the original deposit to the deposit under the Budapest treaty. (Transferred from FERM P-16899 deposited on July 14, 1998.)	
V . INTERNATIONAL DEPOSITARY AUTHORITY	
Name: National Institute of Bioscience and Human-Technology Agency of Industrial Science and Technology  Representative: <u>Shinichi Ohashi</u> (sealed) Dr., Director-General  Address: 1-3, Higashi 1-chome, Tsukuba-shi, Ibaraki-ken 305-8566, JAPAN  Date: July 27, 1999	

BUDAPEST TREATY ON THE INTERNATIONAL  
RECOGNITION OF THE DEPOSIT OF  
MICROORGANISMS FOR THE PURPOSES OF  
PATENT PROCEDURE

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page.

特許手続上の微生物の寄託の国際的承認  
に関するブダペスト条約

下記国際寄託当局によって規則 7.1 に従い  
発行される。

原寄託についての受託証

氏名 (名称)

工業技術院生命工学工業技術研究所長

大箸 信一

寄託者

あ て 名 氏

殿

茨城県つくば市東1丁目1番3

1. 微生物の表示

(寄託者が付した識別のための表示)

E. coli BL21 (DE3) pET15b/Gly2M

(受託番号)

FERM BP- 6800

2. 科学的性質及び分類学上の位置

1 欄の微生物には、次の事項を記載した文書が添付されていた。

- ☒ 科学的性質
- ☒ 分類学上の位置

3. 受領及び受託

本国際寄託当局は、平成 10 年 7 月 14 日 (原寄託日) に受領した 1 欄の微生物を受託する。

4. 移管請求の受領

本国際寄託当局は、平成 10 年 7 月 14 日 (原寄託日) に 1 欄の微生物を受領した。  
そして、平成 11 年 7 月 27 日 に原寄託よりブダペスト条約に基づく寄託への移管請求を受領した。  
(平成 10 年 7 月 14 日 に寄託された微工研菌第 P- 16899 号より移管)

5. 国際寄託当局

通商産業省工業技術院生命工学工業技術研究所

名称: National Institute of Bioscience and Human-Technology  
Agency for Chemical Science and Technology

所長 大箸 信一  
Dr. Shinichi Obashiri Director-General

あて名: 日本国茨城県つくば市東1丁目1番3号 (郵便番号 305-8566)  
1-3, Higashi 1 chome Tsukuba-shi Ibaraki-ken  
305-8566, JAPAN

平成 11 年 (1999) 7 月 27 日